## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA MONROE DIVISION

W. BROOKS WATSON, ET AL. \* CIVIL ACTION NO. 3:17-cv-1331

VERSUS \* JUDGE TERRY A. DOUGHTY

ARKOMA DEVELOPMENT, LLC, \* MAG. JUDGE KAREN L. HAYES ET AL.

## JUDGMENT

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED, ADJUDGED AND DECREED that the motions to dismiss for failure to state a claim filed by Defendants Southern Natural Gas Company, LLC and ConocoPhillips Company [Doc. Nos. 33, 34] be GRANTED IN PART and DENIED IN PART. To the extent the motions request that Plaintiffs' claims against all Defendants under Restatement (Second) of Torts § 324A for continuing tort and continuing trespass, under La. Civ. Code art. 2688, for unjust enrichment, under La. R.S. 30:29, for land loss and subsidence, for fraud, under Lease # 3, under Mineral Code art. 22, under La. Civ. Code arts. 486, 576, 577, 645, 2315.3, and for backfilling of canals be dismissed with prejudice, the motions are GRANTED, and those claims are DISMISSED WITH PREJUDICE. In all other respects, the motions are DENIED.

MONROE, LOUISIANA, this 30th day of November, 2018.

TERRY A. DOUGHTY () UNITED STATES DISTRICT JUDGE